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AZ CORP COMMISSION
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Arizona Corporation Commission

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JAN 14 2003

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MARC SPITZER
CHAIRMAN
JIM IRVIN
COMMISSIONER
WILLIAM A. MUNDELL
COMMISSIONER
MIKE GLEASON
COMMISSIONER
JEFF HATCH-MILLER
COMMISSIONER

IN THE MATTER OF THE APPLICATION OF H2O,
INC., FOR AN EXTENSION OF ITS EXISTING
CERTIFICATE OF CONVENIENCE AND
NECESSITY

DOCKET NO. W-02234A-00-0371

IN THE MATTER OF THE APPLICATION OF
JOHNSON UTILITIES, L.L.C. DBA JOHNSON
UTILITIES COMPANY FOR AN EXTENSION FOR
ITS CERTIFICATE OF CONVENIENCE AND
NECESSITY TO PROVIDE WATER AND
WASTEWATER SERVICE TO THE PUBLIC IN
THE DESCRIBED AREA IN PINAL COUNTY,
ARIZONA

DOCKET NO. WS-02987A-99-0583

DOCKET NO. WS-02987A-00-0618

IN THE MATTER OF THE APPLICATION OF
DIVERSIFIED WATER UTILITIES, INC. TO
EXTEND ITS CERTIFICATE OF CONVENIENCE
AND NECESSITY

DOCKET NO. W-02859A-00-0774

IN THE MATTER OF THE APPLICATION OF
QUEEN CREEK WATER COMPANY TO EXTEND
ITS CERTIFICATE OF CONVENIENCE AND
NECESSITY

DOCKET NO. W-01395A-00-0784

**MOTION TO AMEND
RECOMMENDED ORDER**

Johnson Utilities Company ("Johnson" or the "Company"), respectively files this Motion to Amend the Administrative Law Judge's Recommended Opinion and Order, dated December 4, 2002, and requests that the Amended Recommended Opinion and Order be set for the Commission's consideration at its February 11, 2003 Open Meeting.

1 1. In Decision No. 64062, dated October 4, 2001, (the "Decision") the Commission required,
2 among other things, that Johnson file with the Commission on November 4, 2002 the Arizona
3 Department of Environmental Quality (the "Department") Compliance Status Reports for its
4 operating systems (the "Reports").

5 2. Despite the Company's efforts to obtain the Report for a timely filing, the Company was
6 unable to obtain Reports by November 4, 2002. Therefore, on November 8, 2002, the Company filed
7 a request for a retroactive extension of the Company's compliance date for an additional 60 days.
8 H2O Inc. also filed a request for the retroactive extension if its compliance date.

9 3. The Administrative Law Judge issued a Recommended Opinion and Order on
10 December 4, 2002, recommending that the compliance date established in the Decision be
11 retroactively extended as requested by H2O Inc. and a conditional extension requiring Johnson to file
12 the Reports by December 31, 2002.

13 4. The Company did not obtain the Report on the third of its three operating systems until
14 December 12, 2002 , which Reports were then docketed with the Commission on December 13, 2002.
15 Copies of those Reports are attached hereto as Exhibit 1. (The fully executed copy of that wastewater
16 system Report was docketed on December 17, 2002 and is also attached.)

17 5. The November 20, 2002 Compliance Status Report on the Sun Valley Farms Unit V system
18 contained the following phrase "Despite the indication of 'No Major Deficiencies', the water supplier
19 was issued a Notice of Violation on October 16, 2001, alleging violations of A.A.C. R18-4- 507
20 related to the failure to obtain construction approvals prior to the operation of newly constructed
21 facilities."
22
23

1 6. The Commission, after extensive discussion at the December 17, 2002 Open Meeting, and
2 based upon the qualifying phrase in the Report as quoted above, concluded that the retroactive
3 extension should not be granted to Johnson at that time.

4 7. At that Open Meeting the Commission instructed the Administrative Law Judge to issue a
5 Procedural Order extending the compliance date for H2O Inc. based upon the Report filed by H2O Inc.
6 That Procedural Order was issued on December 19, 2002 and is attached hereto as Exhibit 2. The
7 only substantive difference between the Company's Report and the H2O Inc. Report was the reference
8 in the Company's Report to the unresolved Notice of Violation dated November 16, 2001, despite the
9 fact that all major deficiencies which could affect public health had been corrected.

10 8. The Company, based upon the discussions at the Open Meeting, requested a meeting with
11 the Commission Staff to discuss the implementation of a Compliance Program for the Company to
12 assure future timely compliance with the regulations, orders and requirements of the Commission and
13 the various agencies that the regulate the Company, and to discuss the procedure before the
14 Commission for reinstating the Certificate of Convenience and Necessity granted in the Decision.

15 9. Following that meeting the Company has implemented a Compliance Program under which
16 Brian Tompsett as the Company's new Vice President and General Manager effective December 15,
17 2002, will have as a major responsibility the assurance of all compliance requirements of the
18 Company. Mr. Tompsett is an Arizona Registered Professional Engineer who has eighteen years
19 experience in the design, approval and construction of water and wastewater facilities. A copy of Mr.
20 Tompsett's job description in that regard is attached hereto as Exhibit 3.

21 10. Included in Exhibit 3 are Job Description provisions of the Company's Compliance
22 Manager, a newly created function for Tenia Dixon, a two-year employee of the Company with eight
23 years of utility company experience. Ms. Dixon will track all agency compliance issues, and will

1 interface with the responsible parties including Company's employees, consultants and developers
2 who design, build and operator any Company facilities subject to regulation.

3 11. Also attached as Exhibit 4 is the form of Compliance Log Ms. Dixon will maintain to
4 monitor all compliance items. Exhibit 5 is the form of Memorandum that will be sent each month to
5 all individuals having a compliance item falling due within the next 30, 60 and 90 days respectively.

6 12. The Company is of the opinion that implementation of the above described Compliance
7 Program will assure the timely compliance of all requirements of the Commission, the Department,
8 Arizona Department of Water Resources and all other agencies regulating the Company.

9 13. The parameters of the Consent Order to be issued by the Department in this matter have
10 been established and the Order will be prepared by the Department for execution this week. That
11 Consent Order will be filed as a late file exhibit upon receipt. The Company will also request the
12 Department to issue a new Compliance Status Report without the qualifying phrase as to the
13 outstanding administrative requirement and indicating full compliance of the Company's Sun Valley
14 Farms V System No. PWS ID # 11-116.

15 14. The Compliance Status Reports for the larger Johnson System No. PWS ID # 11-128,
16 and the Company's wastewater System A.P.P. No. P-103081, dated November 20, 2002 and
17 December 12, 2002, respectively and which were docketed with the Commission on December 13,
18 2002, remain in full force and effect.

19 15. Relying on the Certificate of Convenience and Necessity granted in the Decision, a
20 number of Arizona's premier builders have entered into formal agreements with the Company to
21 provide water and/or wastewater service to several master planned communities. Those contracts
22 represent approximately 8,900 residential lots to be developed in the area subject to the Decision.
23 Additional developers are in the process of obtaining Arizona Department of Real Estate approvals

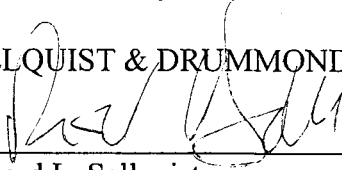
1 necessary to enter similar agreements for water and wastewater service in the subject area. The
2 developers have invested multimillions of dollars in the purchase of land and preparation for the new
3 communities. Some developers are hopeful of opening model home complexes within sixty days.
4 There is an urgent need to have the effectiveness of the Certificate of Convenience and Necessity for
5 this area confirmed as quickly as possible.

6 16. Based upon the Company's implementation of its Compliance Program to assure future
7 compliance, the resolution of all outstanding issues with the Department, and the urgent and
8 immediate need of the public for utility service to the subject area, the Company is of the opinion that
9 it has met the Commission's criteria for obtaining a retroactive extension of the November 4, 2002
10 compliance filing date and that it is in the public interest for the Commission to grant the requested
11 extension.

12 WHEREFORE, the Company respectfully requests that he Administrative Law Judge amend
13 the December 4, 2002 Recommended Opinion and Order for consideration by the Commission at its
14 February 11, 2003 Open Meeting, acknowledging the resolution of all of the Department's issues and,
15 if deemed appropriate by the Administrative Law Judge, adopting the Company's Compliance
16 Program, and thereafter, granting the retroactive extension of the November 4, 2002 compliance filing
17 date as set forth herein, and further finding that the Certificate of Convenience and Necessity as
18 granted in the Decision remains in full force and effect.

19 Respectfully submitted this 14th dated January 2003

20 SALLQUIST & DRUMMOND, P.C.

21 
Richard L. Sallquist

22 2525 E. Arizona Biltmore Circle
23 Suite 117
Phoenix, Arizona 85016

Attorneys for Johnson Utilities, L.L.C. dba Johnson
Utilities Company

Original and fifteen copies of the
foregoing filed this 14th day
of January, 2003, with:

Docket Control
Arizona Corporation Commission
1200 West Washington
Phoenix, Arizona 85007

A copy of the foregoing was
hand delivered this 14th day of
January, 2003, to:

Marc Stern
Hearing Division
Arizona Corporation Commission
1200 West Washington
Phoenix, Arizona 85007

Chris Kempley
Legal Division
Arizona Corporation Commission
1200 West Washington
Phoenix, Arizona 85007

Ernst Johnson
Utilities Division
Arizona Corporation Commission
1200 West Washington
Phoenix, Arizona 85007

A copy of the foregoing was
mailed this 14th day of
January, 2003, to

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Karen E. Errant
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7272 E. Indian School Road, Ste. 205
5 Scottsdale, AZ 85251
Attorneys for Queen Creek Water Company
6
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Martinez & Curtis, P.C.
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8 Phoenix, AZ 85008
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10 Petra Schadeberg
Pantano Development Ltd. Partnership
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12 Richard N. Morrison
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15 Kathy Aleman, Manager
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16 Mesa, AZ 85026
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18 Dick Maes, Project Manager
Vistroso Partners, L.L.C.
1121 W. Warner Road, Ste. 109
19 Tempe, AZ 85284
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21 Richard Tobin
Deputy Director
ADEQ
3033 N. Central Avenue
22 Phoenix, AZ 85012
23

1 Bill DePaul
Enforcement Coordinator
2 Drinking Water Compliance and Enforcement Unit
ADEQ
3 3033 N. Central Avenue
Phoenix, AZ 85012
4

5 Wendy Soelle
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ATTORNEYS AT LAW
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2002 DEC 13 P 4: 06

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AZ CORP COMMISSION
DOCUMENT CONTROL

December 13, 2002

HAND-DELIVERED

Marc Stern
Administrative Law Judge
Hearing Division
Arizona Corporation Commission
1200 W. Washington
Phoenix, AZ 85007

Re: Johnson Utilities Company Docket Nos. WS-02987A-99-0583 & 00-0618; Decision No. 64062, dated October 4, 2001; December 17, 2002 Open Meeting; Item No. U-13

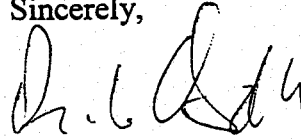
Dear Judge Stern:

The subject Decision required Johnson Utilities Company to file certain Arizona Department of Environmental Quality Status Reports by November 4, 2002. On November 8, 2002, the Company requested an extension of 60 days within which to file those Reports. The Hearing Division prepared a Recommended Order for the December 17, 2002 Open Meeting conditionally granting an extension.

The Company has now received the ADEQ Status Reports required by Decision 64062, copies of which are attached hereto. Based on this, we respectfully request that the Recommended Order be amended to acknowledge the Company's docketing of these documents and compliance with that provision of the Opinion and Order.

In the event you have any questions regarding this matter, please do not hesitate to call.

Sincerely,



Richard L. Sallquist
For the Firm

Enclosures

cc: Docket Control (15 copies) (hand-delivery)
Chairman William Mundell (hand-delivery)
Commissioner Jim Irvin (hand-delivery)
Commissioner Marc Spitzer (hand-delivery)
Hercules Dellas (hand-delivery)
Kevin Barlay (hand-delivery)
Paul Walker (hand-delivery)
Ernest Johnson (hand-delivery)
Patrick Williams (hand-delivery)
Chris Kempley (hand-delivery)
Legal Division (hand-delivery)
Tom Campbell
George Johnson

Mr. B. Tompsett
Project Manager
Johnson Utilities

December 12, 2002

RE: Compliance status for MGD Precision Golf Course WWTP, Permit number P-103081 and R-103081

Dear Mr. Tompsett

Your request for information on the compliance status that was received on December 02, 2002 for the MGD precision Golf Course, permit number P-103081, has been completed. The following results are based on a facility file review and existing information within the wastewater compliance, enforcement and tracking database.

MGD precision Golf Course has two state permits issued by the Arizona Department of Environmental Quality (ADEQ). One is a Aquifer Protection Permit, P-103081 (APP) and the other is Reuse permit, R-103081.

The Aquifer Protection Permit (APP) reporting requirements and monitoring results which have been submitted indicate the facility is in compliance based on the current information that is available to ADEQ.

The reuse permit reporting requirements and monitoring results which have been submitted indicate the facility is in compliance based on the current information that is available to ADEQ.

This facility was inspected on May 18, 2001 by ADEQ (Mr. Nabil Anouti). Fair condition status of operation was reported.

It should be understood that the compliance status of a facility may change from time to time based on monitoring results or a facility inspection. Therefore, this compliance status is based on the most current available information.

If you have any questions or need further assistance, please contact this office at (602) 207-4535

Sincerely,

Don Shroyer, Manager
Water Quality Data Unit
Water Quality Compliance Section

Arizona Department of Environmental Quality
Drinking Water Compliance Enforcement Unit
3033 N. Central Avenue, M0501B
Phoenix, AZ 85012

Compliance Status Report

PWS Name: Johnson Utilities - Sun Valley

PWS ID #: 11-116

Compliance Status: ☒ No Major Deficiencies ☐ Major Deficiencies

Comments:

This water system has completed the initial monitoring for lead and copper. The water system may request reduced lead and copper monitoring in writing.

Despite the identification of "No Major Deficiencies", the water supplier was issued a Notice of Violation on October 16, 2001, alleging violations of A.A.C. R18-4-507 related to the failure to obtain construction approvals prior to the operation of newly constructed facilities.

Date of last inspection / sanitary survey: 4/11/97

Major Operation and Maintenance Deficiencies cited during inspection:

<input checked="" type="checkbox"/> None	<input type="checkbox"/> unable to maintain 20psi	<input type="checkbox"/> inadequate storage
	<input type="checkbox"/> cross connection/backflow problems	<input type="checkbox"/> surface water treatment rule
	<input type="checkbox"/> treatment deficiencies	<input type="checkbox"/> approval of construction
	<input type="checkbox"/> certified operator	

Administrative Orders:

Is ADEQ administrative order in effect? ☐ Yes ☒ No

Is US EPA administrative order in effect? ☐ Yes ☒ No

Comments:

System information:

Number of Points of Entry 1 Population Served 77 Connections Served 37
Initial Monitoring Year 1996 MAP year 2002

DWCE Evaluation completed by: Sally Ceccarelli-Wolf, Compliance Assistance Officer

Phone: (602) 207-7626 Date: November 20, 2002

Based on data submitted by the water system, ADEQ has determined that this system is currently delivering water that meets water quality standards required by Arizona Administrative Code, Title 18, Chapter 4. This compliance status report does not guarantee the water quality for this system in the future. This compliance status report does not reflect the status of any other water system owned by this utility company.

Arizona Department of Environmental Quality
Drinking Water Compliance Enforcement Unit
1110 W. Washington Street, 5415B-1
Phoenix, AZ 85007

Compliance Status Report

PWS Name: Johnson Utilities

PWS ID #: 11-128

Compliance Status: ☒ No Major Deficiencies ☐ Major Deficiencies
Comments:

Date of last inspection / sanitary survey: 12/3/99

Major unresolved/ongoing Operations and Maintenance (O&M) Deficiencies:

☒ None ☐ unable to maintain 20psi ☐ inadequate storage
☐ cross connection/backflow problems ☐ surface water treatment rule
☐ treatment deficiencies ☐ approval of construction
☐ certified operator

Administrative Orders:

Is ADEQ administrative order in effect? ☐ Yes ☒ No
Is US EPA administrative order in effect? ☐ Yes ☒ No
Comments:

System information:

Number of Points of Entry 1 Population Served 1,650 Connections Served 418
Initial Monitoring Year 2000 MAP year 2003

DWCE Evaluation completed by: Sally Ceccarelli-Wolf *SCW* Compliance Assistance Officer

Phone: 602/207-7626 Date: November 20, 2002

Based on data submitted by the water system, ADEQ has determined that this system is currently delivering water that meets water quality standards required by Arizona Administrative Code, Title 18, Chapter 4. This compliance status report does not guarantee the water quality for this system in the future. This compliance status report does not reflect the status of any other water system owned by this utility company.

SALLQUIST & DRUMMOND, P.C.

ATTORNEYS AT LAW

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December 17, 2002

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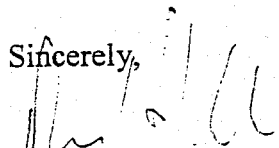
Nancy Cole
Docket Control
Arizona Corporation Commission
1200 W. Washington
Phoenix, AZ 85007

Re: Johnson Utilities Company Docket No. WS-02987A-99-0587 & 0618; Decision No. 64062, dated October 4, 2001

Dear Ms. Cole:

On December 13, 2002, we filed certain ADEQ approvals required by the subject Decision. The December 12, 2002 letter from Shroyer of ADEQ enclosed with that filing had been e-mailed to the Company, thus was not signed. Enclosed please find 15 copies of the fully executed letter.

Sincerely,


Richard L. Sallquist
For the Firm

Enclosures

cc: Mark Stern, Hearing Division (via hand delivery)



Jane Dee Hull
Governor

ARIZONA DEPARTMENT
OF ENVIRONMENTAL QUALITY

1110 West Washington Street • Phoenix, Arizona 85007
(602) 771-2300 • www.adeq.state.az.us



Richard W. Tobin II
Acting Director

2007 DEC 17 A 11:45

AZ CORP COMMISSION
DOCUMENT CONTROL

December 12, 2002

Mr. B. Tompsett
Project Manager
Johnson Utilities

RE: Compliance status for MGD Precision Golf Course WWTP, Permit number P-103081 and R-103081

Dear: Mr. Tompsett

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This facility was inspected on May 18, 2001 by ADEQ (Mr. Nabil Anouti). Fair condition status of operation was reported.

It should be understood that the compliance status of a facility may change from time to time based on monitoring results or a facility inspection. Therefore, this compliance status is based on the most current available information.

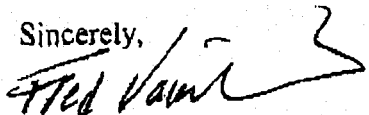
Northern Regional Office
1515 East Cedar Avenue • Suite F • Flagstaff, AZ 86004
(928) 779-0313

Southern Regional Office
400 West Congress Street • Suite 433 • Tucson, AZ 85701
(520) 628-6733

MGD Precision Golf Course WWTP
Page 2

If you have any questions or need further assistance, please contact Fred Vakili at
(602) 771-4535

Sincerely,



Fred Vakili
Environmental Health Specialist II
Water Quality Data Unit
Water Quality Compliance Section

cc: Facility File

1 **BEFORE THE ARIZONA CORPORATION COMMISSION**

2 WILLIAM A. MUNDELL
CHAIRMAN

3 JIM IRVIN
COMMISSIONER

4 MARC SPITZER
COMMISSIONER

5
6 IN THE MATTER OF THE APPLICATION OF
7 H2O, INC., FOR AN EXTENSION OF ITS
EXISTING CERTIFICATE OF CONEINENCE
AND NECESSITY

DOCKET NO. W-02234A-00-0371

8
9 IN THE MATTER OF THE APPLICATION OF
10 JOHNSON UTILITIES, L.L.C. DBA JOHNSON
UTILITIES COMPANY FOR AN EXTENSION
11 FOR ITS CERTIFICATE OF CONVENIENCE
AND NECESSITY TO PROVIDE WATER AND
12 WASTEWATER SERVICE TO THE PUBLIC IN
THE DESCRIBED AREA IN PINAL COUNTY,
ARIZONA

DOCKET NO. WS-02987A-99-0583

DOCKET NO. WS-02987A-00-0618

13
14 IN THE MATTER OF THE APPLICATION OF
15 DIVERSIFIED WATER UTILITIES, INC. TO
EXTEND ITS CERTIFICATE OF CONVENIENCE
AND NECESSITY

DOCKET W-02859A-00-0774

16
17 IN THE MATTER OF THE APPLICATION OF
18 QUEEN CREEK WATER COMPANY TO
EXTEND ITS CERTIFICATE OF CONVEINENCE
AND NECESSITY

DOCKET NO. W-01395A-00-0784

19 **PROCEDURAL ORDER**

20 **BY THE COMMISSION:**

21 In Decision Nos. 63960 (September 4, 2001) and 64062 (October 4, 2001) the Arizona
22 Corporation Commission ("Commission") approved the extension of the Certificates of Convenience
23 and Necessity ("Certificate") of H2O, Inc. ("H2O") and the other above-captioned utilities subject to
24 a number of conditions. One condition required of H2O is to file, within 30 days of the anniversary
25 date of the Decision as amended each year for the next two years, documentation from the Arizona
26 Department of Environmental Quality ("ADEQ") indicating that H2O has been in compliance with
27 ADEQ for each year, and that failure to submit this documentation in the Docket or failure to correct
28 any major or minor violation within 90 days from the date of notice of violation would result in the

EXHIBIT 2

1 Certificate authorized therein becoming null and void without further order of the Commission. The
2 ADEQ documentation was to be filed by November 4, 2002.

3 On November 6, 2002, H2O filed a request for a retroactive extension of time to comply with
4 Decision No. 63960 as amended in order to file the required ADEQ compliance documentation. In
5 its request, H2O stated that it required 30 days to file the required ADEQ documentation. H2O
6 indicated that the time was needed because it was awaiting the documentation and was not sure when
7 it would be received from ADEQ.

8 On November 12, 2002, the Commission's Utilities Division ("Staff") filed a response to
9 H2O's request for a retroactive extension of time in order to comply with Decision No. 63960 as
10 amended. In its response, Staff indicates that it does not oppose the requested extension of time for
11 H2O to file the required ADEQ documentation.

12 On November 20, 2002, H2O filed a copy of its documentation from ADEQ dated November
13 19, 2002, indicating H2O has no major deficiencies and is delivering water which meets the water
14 quality requirements of ADEQ. During the vast majority of its more than 30 year history, H2O has
15 rarely, if ever, been out of compliance with the regulations of ADEQ.

16 Accordingly, the request of H2O for a retroactive extension is reasonable and should be
17 granted. The ADEQ documentation submitted by H2O establishes its compliance with Decision No.
18 63960 as amended.

19 IT IS THEREFORE ORDERED that the request of H2O, Inc. for a retroactive extension of
20 time to comply with Decision No. 63960 as amended by Decision No. 64062 to file ADEQ
21 documentation be, and is hereby, granted.

22 ...

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24 ...

25 ...

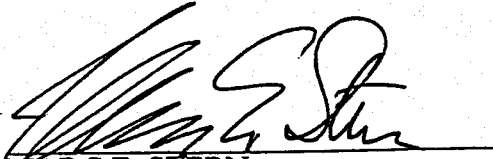
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27 ...

28 ...

1 IT IS FURTHER ORDERED that H2O, Inc. is hereby found to be in compliance with
2 Decision No. 63960 as amended and its Certificate of Convenience and Necessity extended by the
3 aforementioned Decision remains in full force and effect.

4 DATED this 19th day of December, 2002.

5
6
7 
8 MARC E. STERN
ADMINISTRATIVE LAW JUDGE

9 Copies of the foregoing mailed/delivered
10 this 19 day of December, 2002 to:

11 Richard L. Sallquist
12 SALLQUIST & DRUMMOND
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Attorneys for H2O Water Company

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18 Scottsdale, AZ 85251
Attorneys for Queen Creek Water Company

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24 Richard N. Morrison
25 SALMON, LEWIS & WELDON
4444 N. 32nd Street, Ste. 200
26 Phoenix, AZ 85018

27 ...
28 ...

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2 WOLFCOR, L.L.C. & WOLFKIN FARMS
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Mesa, AZ 85026

4 Dick Maes, Project Manager
5 VISTOSO PARNERS, L.L.C.
1121 W. Warner Road, Ste. 109
6 Tempe, AZ 85284

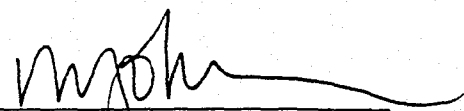
7 Christopher Kempley, Chief Counsel
Legal Division
8 ARIZONA CORPORATION COMMISSION
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9 Phoenix, Arizona 85007

10 Ernest Johnson, Director
Utilities Division
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12 Phoenix, Arizona 85007

13 Richard Tobin
Deputy Director
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14 3033 N. Central Avenue
15 Phoenix, AZ 85012

16 Bill DePaul
Enforcement Coordinator
Drinking Water Compliance and Enforcement Unit
17 ADEQ
3033 N. Central Avenue
18 Phoenix, AZ 85012

19
20 By:


21 Molly Johnson
22 Secretary to Marc E. Stern
23
24
25
26
27
28

JOHNSON UTILITIES COMPANY COMPLIANCE PROGRAM

- Vice President and General Manager

Responsible for obtaining timely approvals of all construction and operating permits, approvals and compliance requirements of the Arizona Corporation Commission, Arizona Department of Environmental Quality, Arizona Department of Water Resources, Arizona Department of Revenue, and any other agency having jurisdiction over the Company and its operations.

- Compliance Manager

Responsible for obtaining all ADEQ Approvals to Construct for plant and well construction by the Company prior to start a construction, and obtaining Approvals of Construction and Approvals to Operate upon completion.

Responsible for coordination with developers to obtain Approvals to Construct and Approvals of Construction for plant constructed by developers (i.e. on-site improvements).

Responsible for coordinating with Company employees, engineers, lawyers and consultants regarding permitting and compliance filings.

Responsible for coordinating with Arizona Corporation Commission Compliance Officer regarding all up-coming compliance dates in accordance with Commission orders.

Responsible for maintaining master calendar regarding compliance for all agencies filings.

Responsible for distribution to all key employees and personnel on the second Friday of each month, an early warning notice system including 30, 60, and 90 day filing flags for up-coming compliance requirements.

Responsible for causing the filing of all Notices of Compliance with the Arizona Corporation Commission or an extension of time to file such Notices.

**JOHNSON UTILITIES COMPANY
COMPLIANCE WARNING LOG**

PROJECT	APPROVAL / PERMIT FILINGS				NOTICE FILINGS				COMMENTS				
	PERMIT/ APPROVAL	AGENCY	WHO FILES	DATE TO BE FILED	TARGET APPL	DATE OBTAINED	AGENCY	WHO PREPARES		WHO FILES	REQUIRED BY	DUE DATE	DATE FILED
1	Hook-Up Fee Report						ACC	Stewart	Sallquist	60223	January 31		REQUIRED ANNUALLY
2	Estimated Revenues						ACC	Stewart	Stewart	41725 and ARS 40-401E	January 10		REQUIRED ANNUALLY
3	ACC Annual Report						ACC	B. Thomas	B. Thomas		April 15		REQUIRED ANNUALLY
4	Water Samples	Monthly Tests Quarterly Tests Annual Tests Four Year Tests	ADEQ ADEQ ADEQ ADEQ					J. Beeler J. Beeler J. Beeler J. Beeler	T. Dixon T. Dixon T. Dixon T. Dixon		Monthly 3-Mar		REQUIRED MONTHLY REQUIRED ANNUALLY REQUIRED 4 YEARS
5	WWTP Reports	SMURFS	ADEQ ADEQ					J. Beeler	T. Dixon	ADEQ			
6	ADWR Reports		ADWR	31-Mar-03			ADWR	T. Dixon P. Gardner	T. Dixon	ADWR	31-Mar-03		
7	CAGRD Report		CAGRD	31-Mar-03			CAGRD	T. Dixon	T. Dixon	CAGRD ADWR	31-Mar-03		ADEQ requires annually reports kept on file in office
8	Backflow Prevention Test Reports		ADEQ				ADEQ	T. Dixon	T. Dixon	ADEQ	Annually		
9	ATC & AOC for EACH Parcel Water and Wastewater Parcel Number	ATC and AOC	ADEQ				ACC	Developers	Sallquist	64062 FOF 153	10/6/2003		

JOHNSON UTILITIES COMPANY, L.L.C..

MEMORANDUM

TO: BRIAN TOMPSETT
FROM: TENIA DIXON
DATE: JANUARY 3, 2003
RE: COMPLIANCE ITEMS
CC: MAILED, FAXED AND E-MAILED TO:

NAME: FAX NO.: E-MAIL ADDRESS:

GEORGE JOHNSON
BRIAN TOMPSETT
GARY LARSON
DEE STEWART
JAY BEELER
PAUL GARDNER
BRIAN THOMAS
DICK SALLQUIST
TOM CAMPBELL

Attached is the current Compliance Warning Log. Please note the following numbered items for which you have responsibility. If, for any reason, you can not meet the specified date, PLEASE CALL ME IMMEDIATELY. Extensions of filing dates must be obtained PRIOR TO THE DUE DATE.

30 DAY FLAGS.

Items:

60 DAY FLAGS

Items:

90 DAY FLAGS

Items: